

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

DECEMBER 4, 2003

The Marlboro Township Council held a regularly scheduled Council Meeting on December 4, 2003 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Karcher opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regular meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on December 13, 2002; mailed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Clerk called the Roll.

PRESENT: Councilman Denkensohn, Councilman Kovalski, Council Vice President Mione, Councilwoman Singer, and Council President Karcher.

Also present were: Mayor Scannapieco, Mayor-elect Robert Kleinberg, Councilwoman-elect Patricia Morelli, Councilman-elect Joseph Pernice, Township Attorney Jonathan Williams, Esq., Ronald H. Gordon, Esq., Business Administrator Chris Marion (9:40pm), Municipal Clerk Alida DeGaeta, and Deputy Clerk Deborah Usalowicz.

Council President Karcher opened the Public Hearing on Ordinance # 2003-23 (Establishing Shade Tree Committee and Rules and Regulations Regarding Shade Trees). After the Public Hearing was closed, the following Resolution # 2003-347/Ord. # 2003-23 (Establishing Shade Tree Committee and Rules and Regulations Regarding Shade Trees) as amended was introduced by reference, offered by Councilman Kovalski, seconded by Council Vice President Mione. Mayor Scannapieco asked that the words "with advice and consent of the Council" pertaining to the hiring of the conservation officer be stricken from the Ordinance. The legal department determined that this would not be a substantial change and could be

made. The ordinance as amended was passed on a roll call vote of 5 - 0.

RESOLUTION # 2003-347

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2003-23

AN ORDINANCE ESTABLISHING A SHADE TREE COMMITTEE AND RULES AND REGULATIONS REGARDING SHADE TREES

which was introduced on November 13, 2003, public hearing held December 4, 2003, be adopted on second and final reading this 4th day of December, 2003.

BE IT FURTHER RESOLVED that notice of the adoption of this ordinance shall be advertised according to law.

Council President Karcher opened the Public Hearing on Ordinance # 2003-22 (Ordinance Providing for Public Contract Reform). After the Public Hearing, the following Resolution # 2003-346/Ord. # 2003-22 (Ordinance Providing for Public Contract Reform) was introduced by reference, offered by Councilman Denkensohn, seconded by Councilwoman Singer and passed on a roll call vote of 5 - 0.

RESOLUTION # 2003-346

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2003-22

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO PROVIDING FOR PUBLIC CONTRACTING REFORM

which was introduced on November 13, 2003, public hearing held December 4, 2003, be adopted on second and final reading this 4th day of December, 2003.

BE IT FURTHER RESOLVED that notice of the adoption of this ordinance shall be advertised according to law.

Council President Karcher opened the Public Hearing on Ordinance # 2003-24 (Amending Chapter 62 - Clarifying and Establishing Fees under O.P.R.A.). As there was no one who wished to speak, the Public Hearing was closed. The following Resolution # 2003-348 /Ord. #2003-24 (Amending Chapter 62 - Clarifying and Establishing Fees under O.P.R.A.) was introduced by reference, offered by Councilwoman Singer, seconded by Councilman Denkensohn and passed on a roll call vote of 4 - 0 (Absent: Kovalski).

RESOLUTION # 2003-348

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2003-24

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 62 "FEES", ARTICLE III "MUNICIPAL SERVICES", SECTION 62-4 "FEES" OF THE CODE OF THE TOWNSHIP OF MARLBORO TO CLARIFY AND ESTABLISH FEES FOR INFORMATION REQUESTED UNDER THE OPEN PUBLIC RECORDS ACT, N.J.S.A. 47:1A-1 et seq.

which was introduced on November 13, 2003, public hearing held December 4, 2003, be adopted on second and final reading this 4th day of December, 2003.

BE IT FURTHER RESOLVED that notice of the adoption of this ordinance shall be advertised according to law.

Council President Karcher opened the Public Hearing on Ordinance # 2003-25 (Amending Chapter 4 - Deputy Custodians of Public Records). As there was no one who wished to speak, the Public Hearing was closed. The following Resolution # 2003-349/ Ord. # 2003-25 (Amending Chapter 4 - Deputy Custodians of Public Records) was introduced by reference, offered by Councilman Kovalski, seconded by Councilwoman Singer and passed on a roll call vote of 5 - 0.

RESOLUTION # 2003-349

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2003-25

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 "ADMINISTRATION OF GOVERNMENT", SECTION ARTICLE III "MUNICIPAL CLERK; DEPUTIES", SECTION 4-23 "DUTIES" OF THE CODE OF THE TOWNSHIP OF MARLBORO TO PROVIDE FOR THE APPOINTMENT OF DEPUTY CUSTODIANS OF PUBLIC RECORDS

which was introduced on November 13, 2003, public hearing held December 4, 2003, be adopted on second and final reading this 4th day of December, 2003.

BE IT FURTHER RESOLVED that notice of the adoption of this ordinance shall be advertised according to law.

Council President Karcher opened the Public Hearing on Ordinance # 2003-26 (Amending Section 4-30 - Interim Appointments). After the Public Hearing was closed, the following Resolution # 2003-350/Ord. # 2003-26 (Amending Section 4-30 - Interim Appointments) was introduced by reference, offered by Councilman Denkensohn, seconded by Councilwoman Singer and passed on a roll call vote of 4 - 0 (Abstain: Karcher).

RESOLUTION # 2003-350

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2003-26

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 "ADMINISTRATION OF GOVERNMENT", ARTICLE IV "MAYOR", SECTION 4-30 "INTERIM APPOINTMENTS" OF THE CODE OF THE TOWNSHIP OF MARLBORO

which was introduced on November 13, 2003, public hearing held December 4, 2003, be adopted on second and final reading this 4th day of December, 2003.

BE IT FURTHER RESOLVED that notice of the adoption of this ordinance shall be advertised according to law.

Council President Karcher opened the Public Hearing on Ordinance # 2003-27 (Amending Ord. # 2003-19 - No Left Turn Goddard School). As there was no one who wished to speak, the Public Hearing was closed. The following Resolution # 2003-351/Ord. # 2003-27 (Amending Ord. # 2003-19 - No Left Turn Goddard School) was introduced by reference,

offered by Council Vice President Mione, seconded by Councilman Kovalski and passed on a roll call vote of 5 - 0.

RESOLUTION # 2003-351

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2003-27

AN ORDINANCE AMENDING ORDINANCE #2003-19 PROHIBITING LEFT TURNS INTO AND OUT OF THE PROJECT LOCATED ON COUNTY ROUTE 520 FOR THE PROPOSED DAY CARE FACILITY TO BE KNOWN AS THE GODDARD SCHOOL, BEING LOCATED ON LOT 37 IN BLOCK 176, 46 COUNTY ROUTE 520, MARLBORO, NEW JERSEY

which was introduced on November 13, 2003, public hearing held December 4, 2003, be adopted on second and final reading this 4th day of December, 2003.

BE IT FURTHER RESOLVED that notice of the adoption of this ordinance shall be advertised according to law.

Council President Karcher opened the Public Hearing on Ordinance # 2003-28 (Establishing Youth Exchange Advisory Committee). After the Public Hearing, the following Resolution # 2003-352/Ord. # 2003-28 (Establishing Youth Exchange Advisory Committee) was introduced by reference, offered by Council Vice President Mione, seconded by Councilman Denkensohn and passed on a roll call vote of 4 - 1, with Councilwoman Singer voting no.

RESOLUTION # 2003-352

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2003-28

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4, "ADMINISTRATION OF GOVERNMENT" ARTICLE II "COUNCIL", SECTION 4-12 "STANDING COMMITTEES" OF THE CODE OF THE TOWNSHIP OF MARLBORO TO ESTABLISH THE YOUTH ADVISORY PROGRAM AS A SPECIAL COMMITTEE OF THE MARLBORO TOWNSHIP COUNCIL

which was introduced on November 13, 2003, public hearing held December 4, 2003, be adopted on second and final reading this 4th day of December, 2003.

BE IT FURTHER RESOLVED that notice of the adoption of this ordinance shall be advertised according to law.

The following Resolution # 2003-329 (carried from mtg. 11/13) Bond Reduction Marlboro Associates/River Birch) was introduced by reference, offered by Council Vice President Mione, seconded by Councilman Denkensohn and passed on a roll call vote of 3 - 0 in favor with Councilman Kovalski abstaining (Absent: Karcher).

RESOLUTION # 2003-329

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE AND CASH BONDS FOR THE DEVELOPMENT KNOWN AS MARLBORO ASSOCIATES/RIVER BIRCH

WHEREAS, in accordance with N.J.S.A. 40:55D-53, the Township of Marlboro has received a request for the reduction of Township held Performance and Cash Bonds for a development known as Marlboro Associates/River Birch; and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed reports from the Township Engineer dated November 6, 2003, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the report recommends a partial reduction in the current Performance and Cash Bond amounts being held by the Township; and

WHEREAS, the Township Council now wishes to take the following action regarding the aforesaid Performance and Cash Bonds.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the Performance Guarantees posted for the Development known as Marlboro Associates/River Birch shall be reduced or released, where specified, as follows:

The Performance Bond for restoration, in the original amount of \$100,000.00, is presently in the amount of \$100,000.00 and shall be reduced by \$100,000.00, releasing the bond for restoration in its entirety; and

The Performance Bond for site improvements in the original amount of \$260,000.00 is presently in the

amount of \$260,000.00 and shall be reduced by \$71,720.00 (27.58%) so that the amount to remain shall be \$188,280.00 (72.42%).

The Cash Bond, in the original amount of \$40,000.00, is presently in the amount of \$40,000.00 and shall be reduced by \$19,080.00 (47.7%), so that the amount to remain shall be \$20,920.00 (52.3%).

BE IT FURTHER RESOLVED, that the above reductions and release shall be subject to the payment of all fees required by the Planning Board and/or Developer's Agreement for the aforesaid development and the delivery to the Township of an "as-built" drawing reflecting all improvements installed to date.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. River Birch LLC
- b. Guarantee Co.
- c. Harris/Johnson
- d. First Indemnity
- e. Township Engineers
- f. Chief Financial Officer
- g. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Resolution # 2003-353 (MCIA Bond Purchase Agreement) was introduced by reference, offered by Councilman Denkensohn, seconded by Councilman Kovalski and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2003-353

RESOLUTION AUTHORIZING BONDS AGGREGATING THE PRINCIPAL SUM OF \$3,250,000 AUTHORIZED BY TWO BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE PART OF THE COST OF VARIOUS GENERAL IMPROVEMENTS IN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID CONSOLIDATED ISSUE

Adopted: December 4, 2003

WHEREAS, the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"), has heretofore

adopted two bond ordinances authorizing bonds to finance part of the cost of various general improvements in said Township; and

WHEREAS, it is necessary to issue bonds pursuant to said ordinances in an aggregate principal amount of \$3,250,000 and it is deemed advisable and in the best interests of the Township, for the purpose of the orderly marketing of said bonds and for other financial reasons, to combine the bonds authorized under said two ordinances into one consolidated issue in the aggregate principal amount of \$3,250,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey; NOW, THEREFORE,

BE IT RESOLVED BY TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) that:

Section 1. There shall be issued bonds of the Township in the following principal amounts pursuant to the following bond ordinances:

A. \$118,750 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 2002-17):

BOND ORDINANCE PROVIDING AN APPROPRIATION OF
\$2,988,000 FOR VARIOUS IMPROVEMENTS FOR AND BY
THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF
MONMOUTH, NEW JERSEY AND AUTHORIZING THE
ISSUANCE OF \$2,843,800 BONDS OR NOTES OF THE
TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

which was amended by an ordinance entitled: (Ord. No. 2003-4):

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER
2002-17 WITH RESPECT TO VARIOUS CAPITAL
IMPROVEMENTS FINALLY ADOPTED BY THE TOWNSHIP
COUNCIL OF THE TOWNSHIP OF MARLBORO, NEW JERSEY,
ON JUNE 13, 2002.

heretofore finally adopted. The period of usefulness stated in said ordinance is 17.72 years.

B. \$3,131,250 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 2003-11):

BOND ORDINANCE PROVIDING AN APPROPRIATION OF
\$3,295,000 FOR VARIOUS IMPROVEMENTS FOR ANY BY
THE TOWNSHIP OF MARLBORO IN THE COUNTY OF
MONMOUTH, NEW JERSEY AND AUTHORIZING THE
ISSUANCE OF \$3,131,265 BONDS OR NOTES OF THE
TOWNSHIP FOR FINANCING PART OF THE
APPROPRIATION.

heretofore finally adopted. The period of usefulness stated in said ordinance is 15.56 years.

Section 2. The bonds referred to in Section 1 hereof are hereby combined into one consolidated issue of bonds in the aggregate principal amount of \$3,250,000 and are sometimes hereinafter collectively referred to as the "Bonds." The bonds referred to in Subsections A through B shall each be designated "General Improvement Bonds, Series 2003" and shall be numbered with the prefix G from one (1) consecutively upward. The bonds of said consolidated issue shall be dated the date of delivery of the Bonds and will be issued in fully registered form.

The Bonds shall bear interest and shall mature on December 1 of each of the following years and in the following principal amounts:

General Improvement

<u>Maturity</u> <u>Date</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>	<u>Maturity</u> <u>Date</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>
2004			2012		
2005			2013		
2006			2014		
2007			2015		
2008			2016		
2009			2017		
2010			2018		
2011					

The Bonds maturing on or prior to December 1, 2013 are not subject to redemption prior to their stated maturities. The Bonds maturing on or after December 1, 2014 are subject to redemption at the option of the Township on or after December 1, 2013 upon notice as described in a bond resolution adopted by the Monmouth County Improvement Authority on November 13, 2003, either in whole or in part by lot within a single maturity from maturities selected by the

Township, on any date, at a redemption price equal to 100% of the principal amount thereof (the "Redemption Price"), plus in each case accrued interest to the date fixed for redemption.

If Notice of Redemption has been given as provided herein, the Bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption.

Section 3. It is hereby found, determined and declared that the average period of usefulness of the improvements or purposes for which the said General Improvement Bonds are to be issued, taking into consideration the amount of such Bonds to be issued for said improvements or purposes, is 15.64 years.

Section 4. The Bonds shall be payable as to interest at the corporate trust office of The Trust Company of New Jersey, payable semi-annually five business days prior to the first day of June and December in each year until maturity, commencing on June 1, 2004, and payable as to principal at the corporate trust office of The Trust Company of New Jersey, payable five business days prior to the first day of December, commencing on December 1, 2004. Interest on the Bonds shall be calculated on the basis of a 360-day year or twelve 30-day calendar months.

Section 5. The Bonds shall be signed by the Mayor or Deputy Mayor and the Township Chief Financial Officer, by their manual or facsimile signatures, and the corporate seal of the Township shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Township.

Section 6. The Bonds are hereby sold and awarded to the Monmouth County Improvement Authority at the price of \$_____. The Mayor and Deputy Mayor are hereby authorized on behalf of the Township to execute the Bond Purchase Agreement by and between the Township and the Monmouth County Improvement Authority and the Continuing Disclosure Agreement by and between the Township and The Trust Company of New Jersey.

Section 7. The Bonds and the registration provisions endorsed thereon shall be in substantially the following form:

The following Resolution # 2003-354 (Transfers) was introduced by reference, offered by Councilwoman Singer, seconded by Council Vice President Mione and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2003-354

RESOLUTION AUTHORIZING BUDGET TRANSFERS
DURING LAST TWO MONTHS
OF THE FISCAL YEAR

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over the above the amount deemed to be necessary to fulfill the purpose of such appropriation,

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro does hereby authorize the transfers among the Calendar Year 2003 Budget as follow:

* Copies of attached Schedule to be found in regular minute book in Clerk's office.

The following Resolution # 2003-355 (Authorizing Grant - County Open Space Fund - Marlboro Twp. Park - Phase II) was introduced by reference, offered by Councilman Kovalski, seconded by Councilwoman Singer and passed on a roll call vote of 4 - 0 in favor (Absent: Kovalski).

RESOLUTION # 2003-355

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Township Council of the Township of Marlboro desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund the development of Township of Marlboro Park-Phase II Block 253 Lot 36; and

WHEREAS, the total cost of the project including all matching funds is \$499,755.08; and

WHEREAS, the Township of Marlboro will be the holder of any interest acquired with County Open Space Trust Funds.

WHEREAS, the Township of Marlboro is the owner of Park-Phase II and controls the project site

NOW, THEREFORE, BE IT RESOLVED BY the Township Council of the Township of Marlboro that:

1. The Mayor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and
2. The Township of Marlboro is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state and local government rules, regulations and statutes thereto; and
4. The Mayor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

The following Resolutions were introduced by reference, offered by Council Vice President Mione, seconded by Councilwoman Singer and passed on a roll call vote of 4 - 0 in favor: Absent: Kovalski Res. # 2003-356 (Bingo License St. Gabriel's Rosary-Altar Society) and Res. # 2003-357 Raffle License (St. Gabriel's Rosary-Altar Society).

RESOLUTION # 2003 - 356

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Bingo License No. BL: 1-03/04 be and it is hereby granted to St. Gabriel's Church Rosary-Altar Society, 100 North Main Street, Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle will be played each Monday, beginning January 12, 2004 to December 13, 2004 from 12 Noon to 2:30 PM at St. Gabriel's Church Hall, 100 North Main Street, Marlboro, New Jersey 07746, as follows:

JANUARY	12, 19, 26
FEBRAURY	2, 9, 16, 23
MARCH	1, 8, 15, 22, 29
APRIL	19, 26
MAY	3, 10, 17, 24
JUNE	7, 14, 21, 28
JULY	12, 19, 26
AUGUST	2, 9, 16, 23, 30
SEPTEMBER	13, 20, 27
OCTOBER	4, 11, 18, 25
NOVEMBER	1, 8, 15, 22, 29
DECEMBER	6, 13

RESOLUTION # 2003 - 357

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 14-03/04 be and it is hereby granted to St. Gabriel's Church Rosary-Altar Society, 100 North Main Street, Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle will be played each Monday, beginning January 12, 2004 to December 13, 2004 from 12 Noon to 2:30 PM at St. Gabriel's Church Hall, 100 North Main Street, Marlboro, New Jersey 07746, as follows:

JANUARY	12, 19, 26
FEBRAURY	2, 9, 16, 23
MARCH	1, 8, 15, 22, 29
APRIL	19, 26
MAY	3, 10, 17, 24
JUNE	7, 14, 21, 28
JULY	12, 19, 26
AUGUST	2, 9, 16, 23, 30
SEPTEMBER	13, 20, 27

OCTOBER	4, 11, 18, 25
NOVEMBER	1, 8, 15, 22, 29
DECEMBER	6, 13

The following Items were carried to the December 11th agenda: Item #18 (Award of Bid - Skid Steer Loader), Item # 19 (Award of Bid - CAD/RMS), Item # 20 (Award of Bid - Police In-Car Cameras, Item # 21 (Award of State Contract - Animal Control Vehicle, Item # 22 (Award of Contract - Animal Control Vehicle Conversion, Item # 23 (Authorizing Interlocal Services Agreement Bd. of Ed. - Telephone Emergency Notification System), Item #24 (Authorization to Bid: Spring 2004 Bulk Pickup), Item #25 (Authorizing Sale of Surplus Township Personal Property, Item # 26 (Bond Release Grosso Site Plan), Item #27 (Request to DOT for Extension of Time for State Aid Projects - Robertsville Rd. and Union Hill Road, Item #28 (Tax Collector Resolutions and Item # 29 (Setting Reorganization Meeting).

Council President Karcher tendered her resignation. Council members wished her all the best in her new position as State Senator.

At 11:45 am, Councilman Kovalski moved that the meeting go into executive session for reason of discussing contract negotiations, property acquisition and litigation. This was seconded by Councilman Denkensohn, and as there was no objection, the Clerk was asked to cast one ballot. Recess was called, and the closed session commenced at 11:45 am.

RESOLUTION #2003-358

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 4th day of December, 2003 to go into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely property acquisition, contract negotiations, and litigation.

BE IT FURTHER RESOLVED that the governing body shall adjourn to executive session for the purpose of discussing said aforementioned items and that such executive session should take approximately 60 minutes. Those items discussed in executive session shall remain confidential until such time as confidentiality is no longer required. Action may be taken following the executive session.

At 1:15 am, Councilman Kovalski moved that the meeting be opened. This was seconded by Councilman Denkensohn, and as there was no objection, the Clerk was asked to cast one ballot. (Karcher resigned prior to closed session).

At 1:20 am, Councilman Kovalski moved that the meeting be adjourned. This was seconded by Councilman Denkensohn, and as there was no objection, the Clerk was asked to cast one ballot. (Karcher resigned prior to closed session).

MINUTES APPROVED: January 22, 2004

OFFERED BY: Denkensohn

AYES: 2

SECONDED BY: Mione

NAYS: 0

ABSTAIN: Burrows, Pernice,
Morelli

ALIDA DE GAETA
MUNICIPAL CLERK

JAMES MIONE
COUNCIL VICE PRESIDENT